

REMARKS/ARGUMENTS

In response to the Examiner's Office Action of March 03, 2010 issued in relation to the present Patent Application, the Applicant submits amendments to the claims and the below Remarks.

Claims 1-38 are presented for examination. Claims 1 and 20 are independent claims.

Regarding 35 USC 103 Rejections

Claims 1, 9-20 and 28-49 are rejected under 35 USC 103(a) as being unpatentable over Dymetman (US 6,330,976) in view of Walker (US 6,527,638).

Claims 2-8 and 21-27 are rejected under 35 USC 103(a) as being unpatentable over Dymetman in view of Walker, and further in view of Bauchot (US 6,229,807).

Claims 39-49 have been rejected from the application.

Regarding claim 1, Examiner acknowledges that Dymetman fails to disclose enabling transmission of up to a predetermined number of electronic messages from the competition administrator to the entrant. Col. 2, lines 7-13 and col. 5, lines 45-67 of Walker are relied upon for teaching that feature.

It is noted that the above feature defines that the electronic messages are to the entrant, not general communications between two networked computers. The claimed invention therefore limits the number of electronic messages, such as emails, that the competition administrator may send to the entrant.

Col. 2, lines 7-13 teaches that the object of the Walker's invention is to provide a remote gaming system by which the player can wager on any one of a plurality of games of chance typically offered by a wagering establishment (e.g., a casino or whatever entity is offering to bet against the player) at the player's convenience. That passage does not even mention messages being transmitted from the competition administrator to the entrant, and certainly not enabling up to a predetermined number of messages.

Col. 5, lines 45-67 teaches "*data communicated between the player and the wagering establishment*", which is not electronic messages from the competition administrator to the entrant. That passage further teaches that the wagering establishment has a host computer which enables players to purchase, accumulate and redeem gambling credit at remote locations, "*even if no on-line communications exist with the gaming computer*". That passage proceeds to teach communicating a plurality of authenticatable messages between the gaming computer (ie the player's computer) and the host computer (at the wagering establishment). The quoted passage concludes by describing that the authenticatable messages are conveyed through "*oral communications between the player and the wagering establishment, e.g., such as via an automated public telephone network having interactive voice capabilities using a touch-tone phone.*" Again there is no disclosure of electronic messages being transmitted from the competition administrator to the entrant, and certainly not enabling up to a predetermined number of messages.

The comments above are equally applicable independent claim 20. Dependent claims 2-19 and 21-38 are allowable for at least the reason of being dependent on an allowable base claim.

CONCLUSION

It is respectfully submitted that all of the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

Applicant/s:



Paul Lapstun



Paul Quentin Scott



Jacqueline Anne Lapstun



Kia Silverbrook

C/o: Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia
Email: patentdept@silverbrookresearch.com
Telephone: +612 9818 6633
Facsimile: +61 2 9555 7762